

§ 70.10 Notice of appearance; witnesses.

Interested parties may appear at the hearing in person or by or with counsel or other qualified representative if notice of that appearance, including the names and addresses of the parties appearing, is furnished in writing to the Commission's Secretary within the time prescribed by the notice of the hearing. Such notice of appearance shall also state the names and addresses of any witnesses to appear, the capacity in which they will appear, the place at which they desire to be heard if hearings are scheduled to be held at more than one place, and the approximate time requested for the presentation of each witness.

§ 70.11 Conduct of hearing.

The panel shall conduct the hearing in an impartial manner. Subject to applicable statutes and rules, the panel may:

- (a) Regulate the course of the hearing;
- (b) Administer or require the administration of oaths or affirmations;
- (c) Hold conferences for the settlement or simplification of the issues by consent of the parties;
- (d) Dispose of procedural requests or similar matters;
- (e) Exclude irrelevant, immaterial or unduly repetitious material offered by the parties or witnesses; and
- (f) Exclude any party or witness for contumacious or other conduct which interferes with the proceedings.

§ 70.12 Post-hearing revision.

After consideration of the panel's findings and other relevant matters, the Commission may revise the proposed rules of measurement or rates of tolls, as the case may be. However, in the case of rates of tolls, if such revision proposes rates greater than those originally proposed, the proceedings set out above (making an analysis available to the public, minimum of 30 days notice, submission of data, hearing, etc.) shall be repeated. This requirement shall apply to any subsequent revision which proposes rates higher than those in the preceding proposal.

§ 70.13 Transcript.

A transcript of the proceedings at the hearing(s) shall be made available to any party on request and payment of the costs prescribed by the Commission.

§ 70.14 Effective date.

Rules of measurement or rates of tolls prescribed by the Commission, pursuant to Pub. L. 96-70 and these regulations, shall take effect on a date prescribed by the Commission which is not less than 30 days after the Commission publishes such rules or rates in the FEDERAL REGISTER.

[47 FR 8177, Feb. 25, 1982. Redesignated and amended at 61 FR 16719, Apr. 17, 1996]